

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

VERNON LEWIS CURRY, JR.,

Petitioner,

v.

RONALD HAYNES,

Respondent.

CASE NO. 3:22-CV-5493-LK-DWC

ORDER GRANTING EXTENSION
OF TIME

The District Court has referred this *habeas corpus* action to United States Magistrate Judge David W. Christel. Before the Court is petitioner's motion for extension of time to file a supplemental brief (Dkt. 16) and petitioner's supplement to the motion (Dkt. 17). Petitioner seeks an additional ten days for his recently retained counsel to prepare the supplemental memorandum permitted by this Court's Order dated September 1, 2022 (Dkt. 12). Petitioner represents that respondent does not object to the motion. Dkt. 17.

Petitioner's motion is GRANTED. The schedule set forth in Dkt. 12 is modified as follows:

1. Petitioner's supplemental memorandum in support of his petition shall be filed on or before **October 31, 2022**.
2. Within *forty-five (45) days* after petitioner files his supplemental memorandum, respondent shall file and serve an answer to the petition and supplemental memorandum in accordance with Rule 5 of the Rules Governing Section 2254 Cases in United States District Courts. As part of such answer, respondent(s) shall state whether petitioner has exhausted available state remedies and whether an evidentiary hearing is necessary. Respondent(s) shall not file a dispositive motion in place of an answer without first showing cause as to why an answer is inadequate. Respondent(s) shall file the answer with the Clerk of the Court and serve a copy of the answer on petitioner.
3. The answer will be treated in accordance with LCR 7. Accordingly, on the face of the answer, respondent(s) shall note it for consideration on the fourth Friday after filing. Petitioner may file and serve a response not later than the Monday immediately preceding the Friday designated for consideration of the matter, and respondent(s) may file and serve a reply not later than the Friday designated for consideration of the matter.

Dated this 20th day of October, 2022.



David W. Christel
United States Magistrate Judge